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SUBJECT: MUNICIPALITY TO FUND ISTANBUL TIP SHELTER, BUT  
PROSECUTORS DOWNPLAY GRAVITY OF TIP ISSUE

REF: A. ANKARA 591

[B](#). ISTANBUL 38

[C](#). 04 MINSK 1721

[1](#)1. Summary and comment: In recent Istanbul meetings on trafficking in persons (TIP), G/TIP officer Jennifer Donnelly discussed the upcoming TIP report and Turkey's Tier 2 watch list placement with Istanbul prosecutors, municipal and governorate officials and the leading Turkish NGO on TIP issues. While the secretary general of the Istanbul municipality confirmed another year of funding for the Istanbul TIP shelter run by HRDF, he implied that the municipality did not wish to continue supporting the shelter indefinitely. Istanbul Chief Prosecutor Engin asserted to Donnelly that Turkey's role in trafficking is only as a transit, not a source country, and complained that cooperation from source countries has been insufficient to combat the problem globally. Bakirkoy and Istanbul public prosecutors downplayed separately to Donnelly and Skopje Legal Advisor Carlin the number of TIP cases in Istanbul, noting that most TIP victims were not involuntary, and bristled at the U.S. focus on Turkey's TIP problems. Comment: Although the new shelter for trafficking victims in Istanbul is at full capacity, the prosecutors in Istanbul are downplaying the problem. End summary and comment.

#### Municipality Confirms Continued Funding for Shelter

[1](#)2. (SBU) In meetings January 27 with Istanbul prosecutors, municipal and governorate officials and the leading Turkish NGO on TIP issues, G/TIP foreign affairs officer for Eurasia Jennifer Donnelly discussed the upcoming TIP report and Turkey's placement on the Tier 2 watch list. Accompanying Donnelly on the meetings were Ankara DAO Col. Smith, FBI Senior Advisor at SECI Stuart Sturm, and Istanbul poloffs. The Secretary General of the Istanbul Metropolitan Municipality, Prof. Dr. Ramazan Evren, was the bearer of good news. He confirmed to Donnelly that in line with the protocol signed in 2004 between the municipality and the Human Resources Development Foundation (HRDF), the NGO focusing on TIP issues in Istanbul, the municipality will continue to financially support the TIP shelter run by HRDF after the current municipality-funded one-year lease expires in June 2005. He reassured Donnelly that the municipality's support is not temporary, and that the municipality is committed to work with HRDF to deal with TIP victims. However, Evren's statement that it is essential for NGOs to develop the necessary resources to become financially independent (referred to in the municipality's report on the visit in their website, [www.ibb.gov.tr](#)) implied that the municipality's financial support of the shelter will not continue indefinitely.

#### Shelter at Full Capacity

[1](#)3. (SBU) Newly-appointed HRDF Director Berna Eren and shelter project coordinator Tuba Dundar briefed Donnelly on the activities of HRDF's TIP shelter, the first and only shelter in Turkey, which opened in November 2004 after signing a protocol with the municipality, which paid the first year's rent. HRDF has also received funding for the shelter from Phillip Morris. The shelter is on the top floor of an apartment building in Taksim; in order to protect the privacy of the victims, no visitors are allowed and the location is kept secret (Eren said she herself has not seen the shelter). Since the shelter opened, it has been at full capacity, housing a maximum of 11-12 victims. Four HRDF employees work in the shelter, including two Turkish citizen housing counselors of Russian origin and one of Moldovan/Bulgarian origin who are on duty at all times. (Dundar commented that most of the victims treated at the shelter to date have been of Moldovan and Ukrainian origin.) The counselors understand the Turkish bureaucracy, so are able to counsel the victims. Before entering the shelter, the police take statements from the victims. One HRDF counselor from the shelter participates in the initial interview, but no one from the shelter accompanies the victim to the police.

[1](#)4. (SBU) Shelter coordinator Dundar told Donnelly that HRDF

provides a homelike environment for the victims in the shelter; if the victims have health problems, they are taken to hospitals and treated by psychologists. HRDF Board Chairman Turgut Tokus said in a later meeting that at least one victim had been referred to a mental health hospital on the recommendation of the shelter psychologist. The Ministry of Health issued a circular to all state hospitals ensuring that victims of trafficking will be treated free of charge. Victims can stay at the shelter for more than a week, particularly those with serious psychological problems, such as some who have tried to commit suicide by jumping out of buildings. Some victims have stayed over two months, including one Iranian woman. Since the shelter opened in November 2004 until late January 2005, it has assisted 32 victims of trafficking, some of whom are still in the shelter. Dundar noted that Turkey issues a humanitarian visa to victims of trafficking for those who are repatriated. IOM prepares the safe return of the victims, including providing passports and tickets, and contacting the home country to arrange their reception at a specific city.

HRDF: Good Cooperation with Police and MinInt

15. (SBU) According to HRDF Director Eren, HRDF has excellent cooperation with law enforcement authorities and the Ministry of Interior. HRDF has conducted five training courses in TIP with prosecutors, judges, and police officers, and has made TIP agreements with the jandarma and with the police. Eren welcomed FBI Senior Advisor Sturm's suggestion that HRDF set up a videoconferencing facility to assist in prosecution of those who involved in trafficking, in order to protect the victim's privacy. He described a successful pilot program the FBI has implemented using videoconferencing, in which the trafficked woman did not talk with the police, but did speak to the camera.

16. (SBU) HRDF has 8 full-time project officers and staff in the Istanbul/Taksim office, as well as part-time project coordinators. In addition to its Taksim office, HRDF has a social center in Golcuk, and project offices both in the Sisli district of Istanbul and in Ankara. HRDF is the leading NGO in Turkey working on TIP, but has a network with other NGOs. In addition to TIP, HRDF's programs have assisted 400,000 women in the area of reproductive health, and 7,500 refugees.

17. (SBU) Donnelly's meeting at the Governor's office was less productive, because the human rights chairperson at the Istanbul Governor's office, Vildan Yirmibesoglu, was not well-briefed on the TIP problem in Istanbul. A lawyer who had worked on womens' rights issues for 13 years in the mayor's office in Gaziantep, Yirmibesoglu was familiar with the six Istanbul shelters for street children and women who had been sexually assaulted, run by the municipality and by the social services division of the governor's office, but had no information on the HRDF shelter.

Istanbul Chief Prosecutor: Turkey only a Transit Country

18. (SBU) Meeting with Istanbul Chief Prosecutor Aykut Engin, Donnelly noted that TIP is a human rights issue, and discussed Turkey's placement on Tier Two of the watch list. Engin agreed that trafficking in persons is one of the most serious violations of human rights, and his office was determined to do what it could to combat TIP. Engin noted that Turkey has started a determined campaign to combat trafficking, and that in 2002 the penal code was amended to include trafficking -- proving Turkey's determination. While some countries criticize Turkey for their lack of action in the TIP area, Engin stressed that many countries have more serious TIP problems than Turkey.

19. (SBU) Engin claimed that Turkey's role in trafficking is only as a transit, not a source, country. Turkey has been placed in an unfortunate position due to its geography: all source countries are neighbors with or close to Turkey. Because the former Soviet republics are in a state of economic crisis, their residents want to emigrate -- and the demand for cheap labor is one of the main causes of trafficking. He believed that many of those from former Soviet republics who stay in Turkey do so willingly, to engage in prostitution. Others are victims of organized crime brought to Turkey by force. Engin did not think that TIP in Istanbul was related to drug trade. He stressed that cooperation from source countries is essential to reduce the problem, but source country efforts to date have been insufficient to combat the problem globally.

110. (SBU) Engin noted that human trafficking must be distinguished from illegal immigration, an overlapping problem in Turkey. The Istanbul district has handled 21 incidents of trafficking in person and 95 cases of illegal immigration since the penal code was amended in 2002. It takes a long time to reach a verdict in TIP cases: of the 21 cases, only 4 have been resolved in the Istanbul court; 3 or 4 were sent to other courts, and the remaining were still

ongoing. The Istanbul prosecutor's office informs embassies of source countries about the cases. If the victims are in Turkey voluntarily, they usually are sent back to their countries. If the victims were brought to Turkey by force, they are referred to a psychologist; such cases are outside the jurisdiction of the Istanbul prosecutor's office and are generally referred to the governor's office. Deportations are the responsibility of administrative divisions of Istanbul -- they are not the job of the prosecutor's office. Engin stressed that source countries do not help Turkey resolve TIP cases, because they often do not want victims repatriated and do not provide enough money to send them back (including visa/hotel/transportation costs). Turkey thus faces huge expenses in repatriating the victims. He commented that if the other countries involved would cooperate with Turkey, the problem would not have reached such dimensions.

¶11. (SBU) Engin responded positively to the suggestion of Stuart Sturm, senior advisor at SECI, to introduce videoconferencing to the prosecutors' office to assist in TIP cases. While videoconferencing would be useful, Engin noted that such a decision would have to be made at a higher level in Ankara. Engin said that the prosecutor's office already has a judicial program with SECI; he himself participated in a seminar in the U.S. on freedom of thought and prosecutor relations.

¶12. (SBU) Bakirkoy prosecutor Ergezen, handling the indictment of four men in connection with a TIP-related suicide of a Belarusian woman in Bakirkoy, met with Donnelly January 27 and with TIP speaker Barbara Carlin, Resident Legal Advisor to Embassy Skopje, February 11. He shared with Donnelly the documents on the indictment of four men in connection with the case of Belarusian citizen Vera Krivenia, who he said died in the hospital after jumping out of the window. Nadia, one of the two other TIP victims sharing an apartment with Krivenia, witnessed the incident. Ergezen asserted Turkey is a democratic country, and victims are not pressured by the police. He noted that penalties for TIP-related crimes causing trauma are heavy: 5-10 years for trafficking, 1-5 years for limiting freedom, and 1-3 years for encouraging prostitution -- all of which could be added together, leading to a 25 year sentence. (Note: Under the revised penal code taking effect April 1, 2005, these penalties will be increased, including 8-12 years for trafficking.)

¶13. (SBU) Ergezen stressed to both Donnelly and Carlin that the crime rate in Istanbul is low for a city of 16 million, compared to that in large cities in other countries. According to Ergezen, the Bakirkoy prosecutor's district handles the largest number of TIP cases in Turkey, followed by Ankara, Izmir, and the Istanbul districts of Kadikoy and Sultanahmet. Both Ergezen and Istanbul prosecutor Yelkenci downplayed the number of TIP cases in Istanbul, noting that most TIP victims were not involuntary, and that illegal immigration was the greater problem in Istanbul. They also bristled at the U.S. focus on Turkey's TIP problems, asking why we are not pressing France, Italy and Spain on the TIP issue.

¶14. (U) This cable has been cleared by Embassy Ankara.  
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